IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

THURSDAY, THE TWENTY THIRD DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT
THE HON'BLE MR JUSTICE BILAL NAZKI
and
THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 17097 of 2004

Between:
Sri Mohd. Masood Khan, S/o Mohd. Anwar Khan,
R/o House No. 10-2-346/9/3, Asifnagar, Hyderabad.
..... PETITIONER

AND

1 The Assistant Secretary, Regional Transport Authority,
(West Zone) Hyderabad.
2 The Motor Vehicle Inspector, RTA, Hyderabad East Zone,
Hyderabad.
.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ order or direction especially one in the nature of Writ of Mandamus declaring the seizure of the petitioner's vehicle bearing No. AP 13 V 6028 vide vehicle check report No. 676405 dated 16-8-2004, under Section 8 of A.P. Motor Vehicles Taxation Act 1963, is illegal and arbitrary and consequently direct the respondents to release the petitioner's vehicle bearing No. AP 13 V 6028,

Counsel for the Petitioner:MR.CH.RAVINDER

Counsel for the Respondents: GP FOR TRANSPORT

The Court made the following O R D E R:

(Per the Hon'ble Sri Justice Bilal Nazki).

Heard learned Counsel for the parties. With their consent, the Writ Petition is being disposed of at this stage.

It appears that the petitioner's vehicle has been seized for violating the conditions of permit and for some other alleged offences. In the interest of justice, we dispose of this Writ Petition at this stage, directing release of vehicle subject to payment of tax due by the petitioner, without prejudice to his rights in the enquiry and further subject to filing an undertaking by the petitioner to the effect that he shall not alienate or in any way encumber the vehicle.

The Writ Petition is accordingly disposed of. No costs.

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(BILAL NAZKI, J)

23rd September, 2004.

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(S.ANANDA REDDY, J)

Note:Issue Operative Portion by wire
at party's cost
b/o
vrn

To

1 The Assistant Secretary, Regional Transport Authority,
(West Zone) Hyderabad.
2 The Motor Vehicle Inspector, RTA, Hyderabad East Zone,
Hyderabad.
3 Two C.Cs to the Government Pleader for Transport,

High Court of A.P., Hyderabad (OUT)

4 Two C.D copies.